

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

W.L.ROUSE III D/B/A THE ROUSE	)	
COMPANIES; G.F. VAUGHAN TOBACCO	)	
COMPANY, INC.; AND TODDS ROAD	)	
DEVELOPMENT CORPORATION	)	
	)	
COMPLAINANTS	)	
v.	)	CASE NO. 97-067
	)	
BLUE SKY SEWER SERVICE COMPANY	)	
	)	
DEFENDANT	)	

O R D E R

Complainants have moved for leave to amend their complaint. Complainants Todds Road Development Corporation and VDC Development, Inc. and Defendant Blue Sky Sewer Service Company have jointly moved to suspend the proceedings indefinitely. Having considered the motions and being otherwise sufficiently advised, the Commission finds that the motion to amend should be granted and the motion to suspend proceedings should be granted in part and denied in part.

IT IS THEREFORE ORDERED that:

1. Complainants' motion for leave to amend their complaint is granted.
2. The Joint Motion to Suspend Proceedings is granted in part and denied in part.
3. The proceedings in this case are suspended for a period of 60 days.
4. A formal hearing in this matter shall be held on September 2, 1997 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and continuing until completed.

5. Each party may, on or before July 26, 1997, serve upon any other party a written request for admission, for purposes of this proceeding only, of the truth of any matter relevant to this proceeding set forth in the request that relate to statements or opinions of fact or of the application of law to fact. The matter is admitted unless, within 10 days after service of the request, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection. The form of the request for admission and the answer or objection thereto shall otherwise be governed by Kentucky Civil Rule 36.

6. Each party may, on or before July 26, 1997, take the testimony of any person by deposition upon oral examination pursuant to notice or by agreement.

7. Each party shall, on or before August 15, 1997, serve upon the other parties a written summary of the testimony of these witnesses which it expects to call at the formal hearing, copies of all exhibits to be introduced at that hearing, and all preliminary motions and objections, except objections to exhibits. All exhibits shall be appropriately marked.

8. The style of this proceeding shall henceforth be Todds Road Development Corp. and VDC Development, Inc. v. Blue Sky Sewer Service Company, Inc.

Done at Frankfort, Kentucky, this 2nd day of June, 1997.

PUBLIC SERVICE COMMISSION

ATTEST:



Executive Director

  
For the Commission